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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/813,064	03/31/2004	Kuo Yui Li	4459-145	5285

7590 01/29/2007  
LOWE HAUPTMAN GILMAN & BERNER, LLP  
Suite 310  
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Alexandria, VA 22314

EXAMINER
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CHUNG, DAVID Y

ART UNIT	PAPER NUMBER
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2871

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	01/29/2007	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

**Office Action Summary**

Application No.

10/813,064

Applicant(s)

LI ET AL.

Examiner

David Y. Chung

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 20 October 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) 9-20 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-6 and 21 is/are rejected.
- 7) ☒ Claim(s) 7 and 8 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Election/Restrictions***

Applicant's election with traverse of Specie I in the reply filed on October 20, 2006 is acknowledged. The traversal is on the ground(s) that no serious burden exists. This is not found persuasive because a separate search would be required for each of the 3 species outlined in the election of species requirement.

The requirement is still deemed proper and is therefore made FINAL.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

**1. Claims 1, 2, 4 and 21 rejected under 35 U.S.C. 102(b) as being anticipated by Inbar (U.S. 5,963,276).**

As to claim 1, Inbar discloses the projection display shown in figures 2 and 3. Note the light source 80, polarizing mean comprising polarizer 94 and condenser lens 86, projection lens 64, and liquid crystal array (LCA) 74. See column 9, line 60 – column 10, line 61.

As to figure 2, figure 7 discloses mirrors 195 and 197 for reflecting light from projection lens 164. See column 16, lines 9-42.

As to claim 4, figure 3 shows polarizing means comprising polarizer 94 and condenser lens 86.

As to claim 21, the projection lens 64 is positioned downstream from the polarizer 94 and condenser lens 86 and upstream from the liquid crystal array 74.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

**2. Claim 3 rejected under 35 U.S.C. 103(a) as being unpatentable over Inbar (U.S. 5,963,276) in view of Yamanaka et al. (U.S. 6,894,840).**

Inbar does not disclose a fresnel lens. Yamanaka teaches that fresnel lenses are excellent in shortening of the focal distance and very effective to suppress the divergence angle of light emitted from the light source. See column 33, lines 35-46.

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Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to provide a fresnel lens because of the benefits taught by Yamanaka.

**3. Claims 5 and 6 rejected under 35 U.S.C. 103(a) as being unpatentable over Inbar (U.S. 5,963,276) in view of Doany et al. (U.S. 5,597,222) or Cobb et al. (U.S. 6,676,260).**

As to claim 5, Inbar does not disclose a relay lens between the condenser lens 86 and the projection lens 64. Doany teaches that a relay lens system eliminates the requirement for a projection lens having a large retrofocus distance and results in relatively less residual lateral color and an inexpensive projection lens. See abstract. Cobb also teaches that using a relay lens allows for a lower cost projection lens. See abstract. Therefore it would have been obvious to one of ordinary skill in the art at the time of invention to include a relay lens due to the benefits taught by Doany and Cobb.

As to claim 6, Inbar discloses a polarizer 96 that would be disposed between a relay lens and the projection lens 64.

### ***Response to Arguments***

Applicant's arguments with respect to claims 1-8 and 21 have been considered but are moot in view of the new ground(s) of rejection.

***Allowable Subject Matter***

Claims 7 and 8 objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is a statement of reasons for the indication of allowable subject matter: the prior art of record did not teach or suggest two lens arrays having a plurality of lenses respectively, which are disposed opposite to each other with both being disposed between the light source and the polarization conversion element.

***Conclusion***

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to David Chung whose telephone number is (571) 272-2288. The examiner can normally be reached Monday-Friday 9:30 am to 6:00 pm.



David Nelms  
Supervisory Patent Examiner  
Technology Center 2800

David Chung  
GAU 2871  
01/21/07